

THE ROBERT EMMITT BURNS CONTINGENT

These are the communiqus and communications that have been sent to the Peoples' Court Comrades by the Robert Emmitt Burns Contingent of the New World Front for distribution.

COMMUNIQUE

Eight sisters and brothers - five of them ex-convicts - designate themselves a new unit of the New World Liberation Front. We will call ourselves The Robert Emmitt Burns Contingent (REB) to honor a great revolutionary convict, Bobby Burns. We are a core unit and project the recruitment of 22 additional members - from among our close comrades - in the next six months. We have elected to identify ourselves with our comrades in the NWLF out of respect for their strategy, tactics, and courage, but wish to extend our love and support to all revolutionaries, aboveground and below.

The REB contingent will continue its practice of regularly planned and executed acts of rebellion involving several members, and is planning a large action. We are not adventurers and will give a great deal of thought to our actions and communiqus. Our communiqus will be distributed to what we consider Peoples' Media, and distributed directly to the people in less orthodox ways. We accept the responsibility for all security relating to our communiqus and it is not necessary to retype them or try to keep them from the pigs.

We will not announce our actions publically since we intend to test new concepts of security that could involve the identity of one or more of our comrades becoming known. We will analyze our concepts of security in a communique to our NWLF comrades in response to their August 25th description of their relationship with Popeye Jackson. This lengthy analysis is being prepared now.

The REB contingent has had conclusive proof for a number of allegations made by our NWLF comrades about Popeye, but were unsuccessful in getting this information to you. We were able to make our information available to a peoples' court that met on July 30th, and their analysis - now in circulation - will soon be generally available. We have studied this analysis, and join with the peoples' court in their conclusions. We commend the peoples' court and - most importantly - our NWLF comrades - for their actions in this matter. Now that all the questions have been answered, we must begin the more laborious process of learning the lessons of brother Popeye's life.

We are working on our complete political statement and it will be ready in October. All of our communiqus will be addressed to our sisters and brothers in other NWLF units but may be used freely by all comrades. Anti-revolutionary media will probably use them as well, but they are specifically denied permission to do so.

12 September 1975

Peoples' Forces
New World Liberation Front
Robert Emmitt Burns Contingent

COMMUNICATION TO PRISONERS' UNION UNITED PRISONERS' UNION BAY AREA RESEARCH COLLECTIVE COMRADES OF THE PEOPLES' COURT THE REALIST

Attached is a copy of a private communication to Tanya that was delivered by courier. We assume all responsibility for security for all our communiqus and communications and it is never necessary to protect them from the pigs. However, for reasons of content, we wish to keep this communication from the eyes of everyone but trusted comrades.

We would have made NO copies, but it was/is hoped that our advice would be expanded, analyzed, and criticized by trusted aboveground comrades. The responsibility shown by those we have selected to receive copies will determine whether or not they will remain on our distribution list.

We urge expressions of support for our captured comrades in this critical period of our struggle. This support from sisters and brothers should be communicated to them by whatever means is available to aboveground comrades.

We send our love to all revolutionaries - aboveground and below - and solicit analyses, criticism, and advice. In Bobby Burns' example, let us be time bombs in the bowels of the beast.

22 September 1975

Peoples' Forces
New World Liberation Front
Robert Emmitt Burns Contingent

COMMUNICATION TO SISTER TANYA

The 12 members of the Robert Emmitt Burns contingent (REB) of the New World Liberation Front extend support and advice to you - our captured sister - from our decades of experience in dealing with the pigs and doing time in their cages. At this time, we can find nothing in your actions to criticize.

Lawyers and others will advise you to tell lies in order to keep from being convicted on the charges that have been brought against you and they will use the argument that it is not unprincipled to lie to the pigs in order to beat the rap. They will tell you to say what everyone wants to hear: "I take it all back; I was terrorized, and my thinking disrupted to the degree that I was not responsible for what I said and did."

While this might seem an appealing way to trick and beat the forces now aligned against you, it would really come down to making a deal for the words you said would be used to discredit your comrades in the eyes of the people. They would also destroy your credibility with your above and underground comrades, and that would only be the first step.

Next, they would say that - in order to demonstrate that your false words were true - you would have to cooperate by supplying information that they do not have. The ultimate result of this type of defense would be that you would be forced to testify against your comrades. There is nothing in your statements or actions that would lead anyone to think that you would make such a deal, but words spoken by your attorney show us what their tactics and strategy will be. You may be aware of these things already, but we thought it appropriate to warn you since we have a lot more experience than you in dealing with lawyers and courts.

We have a HUGE amount of experience with their prisons and would like to talk about that aspect of things as well. They will try to terrorize with you talk about their cages, and they are a drag, but not in the ways they imagine. Remember, they don't know any more about the prison experience than you do and we would like to assure you that you can not only endure it, you can make doing time work for you, and against them. It would also benefit the cons you would be with in terms of their morale and understanding. Most importantly, it would be of great benefit to our cause since a large number of the people are watching, studying, and learning from your actions.

They will also tell you that you could get a million years and that is probably true but overlooks the fact that we will have torn those prisons apart before more than a few of those millions of years that they hand out will have passed. More to the point, it is quite unlikely that you will ever have to do any time at all because you will - to a certainty - be released on bail. Appeals can go on forever, especially when there is plenty of money to pay lawyers to send messages to each other. These messages are called writs, petitions, appeals, stays, and the like and each message requires a response. These things move very slowly; it takes months for a judge to decide to take a shit.

Our specific advice is that you adopt an extremely stubborn attitude and refuse to allow your father to bail you out unless he springs your comrades as well. We feel your position is very strong and that you could even get him to spring Russell and Joe on appeal bonds if you were patient, and played your cards right. The sexist term bull-headed best describes the attitude we advise you to adopt.

We feel that the only condition you will have to accept to make bail will be to agree to make court appearances. That is the only condition of bail - by law - and the only one you should accept.

As to the trial and before, we advise that you adopt the tactic of silence. Do not talk to the press, do not talk to your lawyers (your father's lawyers) as they will only get you in trouble. Do not testify at your trial. Let your attorneys say whatever they want but do not endorse anything they say. Assume the attitude of an observer and do not be tricked into becoming a participant. If you participate in the process of injustice that will be forced upon you, you will endorse that process and become caught up in its countless snares and traps. You don't have to go as far as brother Bobby Seale but silent, watchful indifference is the attitude we advise.

If you issue any political statements, we advise you to proceed with the greatest caution and only after consultation with your closest comrades, NOT YOUR ATTORNEYS'. The less you say, the harder the people will listen to your words and this places a great responsibility on your to choose your words carefully.

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As soon as you are released on bail (a few weeks if you force your father to meet your terms), the REB contingent advises that you make contact with all the aboveground radical groups in the Bay Area and minimize contacts with your parents and their allies who will try to hold your attention in any way that they can.

Live alone or with comrades. Use your minimal contact with your parents and others of their class to attempt to get them to use their money for principled purposes. Ask for funds for needy causes and - if they refuse - don't come back for a couple weeks. Refuse to discuss anything that you do not wish to talk about, even with your closest family. Don't take any shit from any of them and heap scorn on anyone who advises you to act out of self-interest, rather than in the interests of the people for whom you are fighting, and for whom you have fought so valiantly.

This communication is secure in all respects and its bearer is the best source of advice among the persons now trying to offer that service. Since we are trying to keep it quiet so as to keep the enemy in the dark, we are sending copies only to comrades we feel can be trusted. These are: both prisoners' unions, The Bay Area Research Collective, the peoples' Court Comrades, and Paul Krassner. It is hoped that they - and their trusted comrades - will provide you with analyses and advice as well.

The sisters and brothers of the Robert Emmitt Burns Contingent - REB's to the end - send our sister the warmest love and support. We will assist you in your struggle in any way that we can.

22 SEPTEMBER 1975

Peoples' Forces
New World Liberation Front
Robert Emmitt Burns Contingent

EMERGENCY COMMUNICATION TO SISTER TANYA

If you have not received our communication of 22 September, it is imperative that you do so immediately! One of your father's lawyers has a copy that was supposed to have been delivered to you yesterday, 22 September, and we can only assume that it was purposely withheld. Additional copies are being sent by mail and we urge that you demand that it be given to you.

We would like to remind all pig cops and pig lawyers that it is supposed to be illegal to interfere with the delivery of mail and that our sister's defense attorneys will be held accountable for their actions.

23 SEPTEMBER 1975

Peoples' Forces
New World Liberation Front
Robert Emmitt Burns Contingent

EMERGENCY COMMUNICATION TO PEOPLES' COURT COMRADES

In this emergency situation, we ask our aboveground comrades associated with the Peoples' Court to assist us in the distribution of our 22 September communication to sister Tanya along with the attached emergency communication of 23 September.

We ask you to make photocopies immediately and - in an emergency measure that departs from our regular practice - distribute them to establishment media sources as well as to our regular distribution list. Please hand deliver them and mail three copies - in separate envelopes - directly to sister Tanya. We thank our comrades for their assistance in this crisis.

23 SEPTEMBER 1975

Peoples' Forces
New World Liberation Front
Robert Emmitt Burns Contingent

STATEMENT TO THE MEDIA FROM PEOPLES' COURT COMRADES

SEPTEMBER 24TH 1975

HISTORICAL
LIBRARY

Peoples' Court Comrades is not an organization. It is an informal group of sisters and brothers who are attempting to discharge the mandate of a peoples' court that met on July 30th, 1975, to consider the charges brought by the underground against the revolutionary, Popeye Jackson. We will publish the analysis and conclusions of the court - and some of the evidence supporting them - on October 1st. This analysis is available free from the court's comrades.

Matters relating to sister Tanya or the Robert Emmitt Burns Contingent of the New World Liberation Front are not our province and our only role was to distribute the REB communications in accordance with their instructions. This should be clear to anyone who reads the communications and we ask the press to leave us alone as we are very busy preparing the court's analysis for publication.

Our position on the affidavit attributed to our sister Tanya is that it was written by lawyers with fertile imaginations in the employ of the Hearst empire and that they coerced Tanya into signing it by employing every tactic of psychological terror that they could. It was written in the third person which clearly shows that it was not Tanya speaking and they have not answered REB Contingent charges that they withheld information from Tanya.

We have no position on the REB contingent of the New World Front since we have not yet seen their complete political statement. We are impressed with the quality of their reasoning in this matter and did not hesitate to assist them in getting the information past sister Tanya's lawyers.

STATEMENT TO THE UNDERGROUND FROM PEOPLES' COURT COMRADES

OCTOBER 1ST 1975

If the Robert Emmitt Burns Contingent of the New World Liberation Front - or any other underground group of comrades - sends us copies of communiqus or communications for distribution, we ask that they assist us in the following ways

1. Assume all responsibility for the security of communiqus or communications yourself. This includes fingerprints and typewriter security. We have a lot of heat - with the FBI watching us closely - and cannot guarantee that they are not opening our mail and tapping our telephone.
2. Include the exact distribution instructions that you wish us to follow.
3. If you want a wide distribution, please include a couple bucks for photocopying. We are without funds and deep in debt.

The comrades of the Peoples' Court are distributing communiqus and communications only temporarily because this activity is not our practice. We will continue to do so only as long as this service is not being provided elsewhere. We endorse the concept of a Dialogue Duplication Collective and an analysis and feasibility study for this idea is available from us.

If any comrade wants to be on our distribution list, she/he must send name and address on a post card or post card sized index card. We don't maintain any record of names and addresses unless specifically asked to do so and cannot guarantee the security of the distribution list records so please use a safe address if you must maintain security yourself.

We do not seek contact with any person or group underground for obvious reasons.

FOREWORD

Strictly speaking, it was not accurate to adopt the name *Peoples' Court #1* because the concept was developed by the underworld - kangaroo courts - and by the People's Republic of China. Still, to our knowledge, this was the first *formal* attempt to manifest a peoples' court in this country and the first time a group of revolutionaries in our movement had assumed the individual and joint responsibility for so designating themselves. Therefore, mindful of the many unnumbered and less formal peoples' courts that have considered evidence and reached conclusions in the past, we will call ourselves *Peoples' Court #1* for purposes of identification.

Peoples' Court #1 adopted 15 conclusions and rejected 1. This analysis and summary deals only with the evidence and conclusions relating to brother Popeye, a total of 9. 6 conclusions dealt with concepts of peoples' justice and they will be analyzed and discussed later. 1 conclusion dealt with the Reverend Cecil Williams and transcripts of the tapes that supported this conclusion - or copies of the tapes themselves - are available from the court at cost. All of the court's conclusions are reprinted at the end of this analysis and the evidence considered in reaching these conclusions is available to any sister or brother who wishes to study it. This includes transcripts of tapes or cassette copies, minutes of the court, copies of documents and correspondence, and additional information and analyses from peoples' investigators. This analysis is a summary and a large amount of information that the court considers important had to be omitted.

The standard adopted by the court was *is it reasonable to conclude?* and the only major disagreement among members of the court and other comrades who have studied this analysis was over the word *hero*. This disagreement is summarized at the end of the analysis and all comrades are asked to consider the disagreement carefully and give feedback to the court along with criticism of the court's actions, and of this analysis.

The costs of the investigation, added to the costs for printing and mailing of this analysis, leaves the court with many unpaid obligations and - while this analysis is free in single copies to anyone who asks - a cash donation of no more than \$2.00 is solicited from all comrades who wish to assist us. No donation is solicited from prisoners, organizations, or businesses. Multiple copies of this analysis are available from the printer or the court at cost.

This analysis may be freely used or reprinted, duplicated or extracted,

quoted or paraphrased - by anyone - without prior approval.

All direct quotes appear in this larger type-face and "quotation marks" are used only for quotes within quotes.

POPEYE

For those of you who don't know me, my name is Popeye Jackson. I'm from the United Prisoners' Union, and I came today because I have some questions for my comrades underground.

With those words, Popeye began his last speech in Ho Chi Minh Park on May 18th in Berkeley, California. The rally was called to advance unity between the above and underground radical groups in the San Francisco Bay Area, and Popeye's speech started a war!

The questions I have, I want answers, particularly from my underground comrades. Why aren't we instilling fear in the ruling class? We bomb buildings, we call, we warn them... at no time do the ruling class fear these things because none of them is dying... I wonder why, when we drop bombs in buildings, particularly Evelle Younger (State Attorney General) why don't we bomb *him*? so dead dogs can begin to become afraid... until we begin to adhere to these things that these comrades (the SLA) are teaching us in their death, then - and only then - can we say that we are revolutionaries. He went on to criticize the New World Liberation Front's action in bombing a building at San Quentin by saying that they should have captured a pig instead, holding him in ransom for the release of captured comrades.

Two weeks later, the NWLF responded with an open letter that was both angry and defensive: Had we sufficient strength and backing... we damn sure would have kidnapped a ruling class pig in exchange for the release of our comrades... comrades trapped behind enemy lines must - and will - be liberated... by the above means. Popeye was charged with the revolutionary crimes of urging acts, projecting a capital- *CHARGES ARE BROUGHT* people to premature istic image, trash- ing (unsupportive) critic- lack of principled ideology, and - perhaps - working for the police as an informer or *provocateur* since he had received privileged treatment from the courts and the parole board.

Five days later, Popeye and a comrade - kindergarten teacher Sally Voye were executed in a barrage of bullets as they sat in her car. The assailant blew Sally away, shot Popeye in the head at point blank range, and disappeared into the nearby projects. The only witness described him as young and black.

The war was on, but no one was sure who was waging it. The NWLF issued a lengthy communique, condoning the execution if it were done by someone or some group with proof of their accusations. Not Sally though: If there was conclusive proof that Popeye was a snitch, then he - and he alone - should have been executed. You don't justify Sally Voye's death by saying she was in the way; you wait until she is out of the way. They called on someone from the convicted class to analyze the situation. To let the matter die with him does disservice to the people.

A flood of communiqes followed. The Weather Underground said that only the ruling class gained from his murder. The Black Guerrilla Family felt the murders were the work of pigs and that the charges against Popeye were without foundation. If not, they demanded proof *THE UNDERGROUND RESPONDS* as did the SLA: At this point, we do not believe that Popeye was a pig. If this action can't be further explained, we have no choice but to conclude that his execution was either carried-out by counter-intelligence agents or by horribly misguided revolutionaries. It didn't take long for the underground to decide who they were fighting: the same pigs they'd been fighting all along.

On June 20th, the Red Guerrilla Family bombed the Treasury Department's bomb squad in San Francisco. The explosive was described as the most powerful ever used in a domestic guerrilla attack and the damage was heavy. Their communique said: We take this action in response to the pig murder of Popeye Jackson... Popeye was impatient with trashing buildings and wanted the underground to attack the pigs themselves. His life's work... has helped to set the stage for the intensification of the peoples' struggle.

Shortly after the double murder a group of comrades - mostly ex-cons - set out to uncover the truth so that the fighting in the movement could be ended and unity restored. It was necessary to go all the way back to the beginning.

The infant Popeye was suffering from extreme malnutrition when he was abandoned by his mother. His grandmother took him into her home in San Francisco's Fillmore Ghetto and he grew up on the streets. Brother Karl grew up in the same neighborhood and he and Popeye belonged to street

gangs that were friendly. Karl says I've been a communist since I was 7 years old and he has spent most of his life in cages. The last 11 years in Folsom were for a bum rap. He lives with his wife and two daughters in an extremely austere revolutionary life-style and they spend the majority of their time in revolutionary practice. The Lucky 20's were a typical street gang of the late 40's and the 50's, non-political and non-racist. Popeye was the leader and they were into boasting and sneaking into movies, that kind of thing. Later, they were shaking-down merchants and getting into robberies. I was kinda on the same trip myself... I looked up to him.

At age 16, Popeye was charged by the Juvenile Court with cutting another boy. He got off. A year later, he threatened the principal of his high school with a knife; this time he got probation. Two weeks later, he was charged with petty theft when he and another boy tried to steal a bottle of wine and was committed to the Log Cabin Ranch School, a semi-detention institution of the period. Nine months later, he was kicked-out for disobeying the rules and did his first time, in the Juvenile Detention Home. After release, he was again busted for shoplifting and was forced to enlist in the army as an alternative to Youth Authority Prison. In the army, he was busted for grass, and did a year in the stockade. He got a dishonorable discharge.

In 1951, when Popeye was 21, he was caught in the act of burglarizing a drugstore. His pockets were full of cosmetics and cigarettes. Because of prior record, including narcotic violation, he was given the maximum sentence: 1 to 15 years. He could have been paroled in a year but did 11, getting out in 1962. The indeterminate sentence in action: 11 years of a man's life for stealing cosmetics and cigarettes.

Released in 1962, the 32 year old Popeye was out less than 90 days. This time, the take was two dollars and *A PARTIALLY SMOKED PACK OF CIGARETTES* some pennies, a wristwatch, and a partially smoked pack of cigarettes. The florist got pistol-whipped and Popeye got 5 years to life. Robbery with a prior felony conviction, weapons, and violence.

As the years slipped by in monotony, fear, and loneliness, he became filled with a great anger. If he got mad, he might shout insults right in your face, daring you to provoke a violence he was just barely able to control. His reputation included 3 murders and he used it to intimidate anyone he could. San Quentin even takes from you the power to decide when you will eat or shower or take a shit, and the experience can fill you with a great need to control people and events. Follow-

ing a long established practice, Popeye adopted the tactics of his oppressors and used intimidation to fulfill his need for power. If he could make you afraid of him, he was in control.

Karl: At that time in Folsom, interracial *anything*: living in the same cell, eating at the same dinner table, fucking, sucking, or just about anything - except for money hustle on the yard - was segregated. Popeye ran around with a white homosexual... this never happened before... in the history of Folsom Prison. The homosexual he had was the ugliest homosexual in the whole penal system... nobody else really wanted her anyway... she looked like Smokey the Bear. Popeye had nerve and was feared, but he did not have a good reputation and was known as a pressure artist and an intimidator of queens.

Sister Sheevy was one of the founders of the Prisoners' Union and devotes the majority of her time to organizing prisoners. She lives with her three children in a revolutionary life-style and works at the Union almost every day. ...once you started looking at the prison system, you could really see Popeye. He was a human being that was *horribly* involved in that system. He had a reputation in the joint that nothing was too small for him to steal. *What a terrible thing to say about a human being.* And - what's worse - it was probably true.

Brother Michael was his friend and Popeye's closest partner was Mick's closest partner, brother Lyle. Lyle was San Quentin's middleweight boxing champ but all the heavyweights were afraid to fight him. Popeye was his trainer and had a trainer's mentality: teach others to do the fighting.

They ate lunch together every day in the south dining hall, *TEACH OTHERS TO DO THE FIGHTING* the only unsegregated table.. They could have eaten in the more relaxed atmosphere of the north dining hall but the south had more comfortable tables and who would dare say anything to Popeye and "Bulldog"? Mick lives in a collective established by ex-cons and maintains a revolutionary life-style. His practice is very revolutionary.

Mick: He (Popeye) spent a lot of time in our cell, telling us stories about fine broads and big money. When Popeye was rapping, it could go on for hours. In his stories, he was always the hippest, toughest, and smartest. Eye always had a way of getting into the shit. If there was an argument on the field, he was in on it; if there was a fight in the locker room, Eye would be talking shit. There were a lot of dudes involved in San Quentin Sports who could have whipped Popeye... but most weren't willing to sacrifice their release dates... A lot of athletes - of all races - didn't like Popeye because he spent more time arguing

and squabbling than playing ball or because he criticized his teammates heavily and bragged about his own exploits. He had a short temper and an argument could quickly lead to blows, so people let him have his own way a lot.

Karl: He was really into dropping his bully hand, especially in instances where he knew he could get away with it... and, he was off into that bag - Iceberg Slim and all that - wearing their Cadillacs around the big yard... That's the bag he fell into when he got out.

Popeye had been twisted and warped by almost 2 decades in that womanless, mad world. As brother George Jackson said, It is socially self-destructive to create a monster, and turn him loose upon the world. When Popeye was released in 1970 - another 9 years - he was rational, but not sane. He knew little but queens, sports, hustling the short con, and the big yard. However, in the words of brother Mash, He thought he was the slickest motherfucker in the world. For 13 years, he had matched wits with a most powerful and cruel adversary, the Department of Corrections. He was an expert in the arts of deception and intimidation but he knew nothing about how people had learned to relate to each other while he had been locked away. He was a big yard hustler who was motivated only by self interest; his brothers and sisters were marks. This monster was loosed upon the world with the rhetoric of his latest hustle on his lips: *revolution*.

His rap on the yard had turned political although, as Karl says: I don't think he understood any of it at all except (that) the establishment is racists and fascists, and everybody else is poor people and minorities. As convicted class, *HIS RAP HAD TURNED POLITICAL* and they're nazi for the rest of the the guards... He looked at it entirely as a racist thing. I'd say that he was a double racist, he hated white men and black women. He didn't seem to care for black males very much either and seemed most comfortable with middle class white females.

Shortly after he was paroled, he joined with ex-con brothers Willie, Tony and John, and sisters Pat and Sheevy, to found the United Prisoners Union. Popeye immediately took over. Sheevy: In our early organizational stages, we put together this conference in Los Angeles. We decided to have a 15 person board of directors... We were going to elect people we had known for *one day*! There were a lot of people nobody knew, and Popeye was one of them. It turned out that he who raw-jawed the most, the loudest, the longest - got the vote. What happens, of course, is - 3 months later - this 15 member board is virtually de-

funct because everyone is either dead, or in jail, or hooked, or disappeared. Hardly anyone left. Except Popeye... It's amazing, his survival ability. He is truly one of those kind of guys you could drop out of a 10 story building and - somehow or other - he'd land on his feet.

Sister Pat was another founder of the Union. A very dedicated sister, she lives upstairs - over the Union offices - and spends most of her time doing Union work. She maintains a revolutionary life-style. He would make speaking commitments for himself and not include anyone else in them except(sometimes) me. I felt that he included me because I was a woman, and I was no threat to him as far as the image he was trying to create... (as) Minister of Prisons and all that bullshit. At the time, it was easy to get money out of crowds. Popeye would go out a lot and not come back with anything. A lot of times there was a hundred bucks in there... when I went with him. Popeye was the only one involved in Union activities full-time. Everybody else had to work to survive. That's what no one knew, how he could afford it.

Sheevy: Once he returned from an engagement with a \$100 check and said that half of it had to be sent to another brother who spoke. Later, one of the organizers told us how happy he had been that they were able to give *all* of the speakers \$100. We started to funnel known amounts of money through Popeye and it always came up short when he turned it in. We were

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he was running

RIGHT UP TO THE EDGE

really upset over the
distance phone bills
up. God! I'd just

have a dollar or so and this was an outrageous extravagance for a little fledgling organization. He said he couldn't do that anymore - and then - he started making phone calls. I'd just hang him up. He'd get nad and threaten to hit me but he never did. He'd pull his hand back like he was going to do it, but he never did. He'd go right up to the edge.

He used to speak to me in what I considered a degrading, sexist fashion. He used to tell me "Bitch, *shut up*". He used to tell the men around me "make that woman be quiet!" He used to treat me in a very authoritarian fashion which I considered personally degrading. I didn't think we human beings spoke to each other that way and he seemed to think that that's the way men spoke to women... As a consequence, I wasn't around the office all that much... I'd take my union work and go home.

Pat: Like, he'd come up and say "Let me suck your right tit baby". That just made my skin creep and crawl. And then, trying to spout how

much he was for feminism. He told me one time, "Bitch, stay in your place". He told Willie to keep his woman in her place. Once he knocked everything off my desk and said "...I'm going to knock you through that window if you say one more word". It was a mistake trying to reason with Popeye, there was just no way you could. He'd take it on a completely different level, and it'd be a fight: "No, I'm not coming to the meeting. You can't kick me out, I'm the Minister of Prisons." So we kicked him out.

Sheevy: (A brother) was constantly concerned about radical groups fighting with each other because, he said: "We've always got to remember that there are too few of us... We can't afford - within the movement - to ever make enemies." To some extent... those lofty principles prevailed among all those people around Popeye with the exception, of course, of Popeye himself. The convict group I was working with at the time... very quickly picked up on all this bullshit, and quickly were intolerant of it... and said: "Hey Popeye, we ain't fucking over you. You can do what you want to do, but you ain't welcome here anymore."

Actually, they kicked themselves out, and took everything with them but the name. Popeye - alone - was now the United Prisoners' Union (UPU); the other cons dropped the "United" and became just the Prisoners' Union (PU). The PU offices were in Willie and Pat's house and Popeye returned to fight over records and money. He had a gun and Willie got pistol-whipped. Pat: Willie had a 104° temperature and hepatitis... Even then... no one seemed to be scared. I mean, there's that fear of a gun; it's loaded, you don't know what will happen. But he was more scared than we were, he was shaking...

Sister Sheila had never done any time but was living with Tony - one of the founders - and working at the Union offices. Unfamiliar with the ways of crazy convicts, she was scared: I was ushered out of the room by Willie and Tony because they were afraid there was going to be some kind of a violent trip. Popeye came back in and he was screaming and yelling: "You white motherfuckers!" white motherfuckers!" He was threatening them, saying he was going to kill them. He came back with a gun and threatened to kill John and Tony and he hit Willie with the gun... I was so freaked-out by the gun that I don't know too much what happened after that.

Popeye almost lost his life then. Sheila: After all this happens, Willie and John and Tony and the women in the Union... were talking about what to do and Tony was saying "We got to get him before he gets us" but John's position was: "...he'll hang himself. He's going to

run around bad-rapping us... calling us racists... but there's nothing we can do about it... What we're doing is representing convicts and if we run out and start a gang war... then we've blown our whole trip... We can't do that, *this is not the big yard*. John and Willie made a strong case and Tony - unconvinced - was voted down. The P/U adopted a policy of silence and would not discuss what had happened until after Popeye's death. Popeye and the UPU adopted a policy of bad-rap and accused Willie and John of being snitches and the P/U of being racist.

In the street sense, Popeye was an excellent judge of character and he knew Tony was the one to worry about. Tony had resigned his vice-presidency in the P/U and was no longer bound by their decisions although he knew that anything he did would reflect upon the P/U. Sheila: One day we were driving down Mission Street and we saw Popeye. All of a sudden (Tony) said: "I'm taking you home" and... he got a very strange look on his face.

I said, "you're going to kill him, *YOU'RE GOING TO KILL HIM?* huh?" and he didn't say anything.

You have every intention of going and shooting Popeye in the street, don't you? Tony said: "Yes, that's what I'm going to do... the man is ripping-off the movement and he's threatened to kill my friends, threatened to kill me. You know he needs to die." I began to argue with him... mainly because I don't believe in murdering people, no matter how rotten they are. Finally, I made a scene and got hysterical, so he gave up the whole plan.

Tony got back into heroin after 7 clean years and was soon busted with a large amount. He was sent to Folsom, where he soon got a threatening note from someone claiming to be a friend of Popeye's. It said he was going to be killed and was reinforced by information Tony got from black friends but he couldn't discover the identity of the writers. Not knowing where to watch, he was worried and confided in Sheila. Scared - unfamiliar with the way it is in prison - she told the Warden who had Tony put in Protective Custody. P/C is indistinguishable from the hole and it's not easy to get out. Being in the hole for a long period - when your time is endless - can bring on a terrible depression and it was in this mental state that Tony learned he had cancer. It is not clear how long Tony had left or whether surgery or treatment was possible since Tony committed suicide in P/C. Hanging yourself in the hole is not easy. There's nothing overhead and you have to use the chest-high towel rack. You sit with your ass a couple inches off the bed and slowly strangle. Popeye didn't have to worry about Tony anymore.

Even the Minister of Prisons had to eat, and Popeye was hustling. Sis-

ter Jerry - a homosexual - made checks and false I.D. and Popeye recruited people to cash them. He took sister Sally and sister Saberina to Modesto in March, 1971, to cash checks. They got busted immediately and Popeye fled but the trip was not a total waste. In Modesto he met sister Shalon who is described as 17, pregnant, and destitute. She became Eva Purcell and they went to Sacramento to cash checks. The false I.D. wasn't very good and she got busted on the first try. By July, it was counterfeit money and brother Al, "Little Al" was the patsy. The plates - reportedly made inside San Quentin - were not very good and they were quickly busted. The money - of course - was in little Al's hand and Popeye got cut loose again. Brother Al ended up in Folsom, sister Jerry is dead.

Al was in Folsom still - 3 years later - when the peoples' court met but has since been released: He was running partners, I was supposed to be his friend. He got out on O.R. and I had to make a thousand dollars bail. Al decided to hang up a court appearance and go underground after he became suspicious talking to Popeye on the telephone. He felt he was being set-up for a bail revocation. Maybe it was because Popeye told so many lies: He started lying about the lawyers... said no one would take my case because I wasn't a member of the I.P.U. I was later busted for armed robbery. He wrote Popeye to confer on the case and to ask for some cigarette money but got no reply. He was later able to get a phone call and called his friend. I said "what's happening?" and he said: "uh, uh, uh, uh". That's just the way he said it. I had 30 years facing me...

Al was going to ride the beef for both of them - as the only principled thing to do - since he was already down. Popeye knew that he had little choice and didn't even bother to say "thanks". I said: "man, fuck that dude. As soon as we get busted, he shifts all the weight **FUCK THAT DUDE** on me... He was reaping all the benefits and everybody else was going to the pen. He always got cut loose. He always got cut loose and no report of his helping a left behind crime-partner could be found. I wouldn't have done him like that. Or nobody else. I ain't programmed that way. Al has no hard proof that Popeye cooperated with the cops in this bust but suspects that he did. There were confidential documents available to the court that did not support Al's suspicions but he knew Popeye well and is - perhaps - correct. Popeye and his ex cell-partner, running partner, and close friend had "fallen out".

Brother John was involved in many of Popeye's ventures and he got busted 3 times. He is bitter because Popeye never made any attempt to help him while he was in jail: Didn't even send me cigarettes. John tells

of two brothers jacking Popeye up on Mission street with shotguns - and almost killing him. They took his money - which was quite a bit - and humiliated him. He tried to get John and others from the UPU to kill one or both of them but nobody with enough nerve would go for it; he made no effort to do anything himself.

Popeye had always been into guns. Sheevy: Usually, he used women as holsters. He would frequently have a gun in their purse - or act like he had a gun in their purse - and play a big heavy. In May, 1972, he and brother Jay were busted with two pistols and a hot car while on the way to a Prison Day Symposium where they were to speak. The gun charges were dismissed because the search was illegal and Jay rode the hot car beef. The word on the yard at Folsom is that Popeye snitched but Jay would neither confirm nor deny it for the court. It seems likely. From purloined documents, the court reviewed the following remarks that Popeye's "Counselor" made in his Readmission Summary later that year: It is obvious he (Popeye) is quite upset that (Jay) has not assumed full responsibility for these new difficulties that led Jackson to be returned to the Institution. I believe it would be in the best interest of these two if they were to be separated upon transfer. Having no hard evidence, the court concluded only that he had made statements which *could have been* harmful to his fall-partner.

Little Al tells the whole story: He got broads to sign affidavits say- that the guns belonged to Jay. Popeye wrote a letter in his own hand that said Don't let him out - and if you do - don't send him to San Francisco. Popeye may not have realized that the board - now - has to give you photocopies of all letters sent to them. He surely didn't know his letter would be shown around the yard. Jay would likely have shown them to his brothers on the court as well if it weren't for his being a murder suspect and not wanting to draw more attention to himself. He had already drawn too much by talking about how he was going to kill Popeye all over town. According to brother George (a second-hand report) who was a close friend of Popeye's and who cried when he was killed, Popeye had talked of arming himself against Jay's threats, the day before the murder. Suspicions on the street were so strong that a group of brothers were going to kill Jay but they abandoned their plans when - independent of the peoples' court - they reached similar conclusions. Jay told a P/C investigator that he was out of town on the day of the murder but the word on the street was that the shooting was done by a paid gunman who was motivated - partially - by wanting to make a reputation. Jay is down again, busted with a large amount of heroin. These rumors and second-hand information were held as secret by the court so as to not complicate brother Jay's situation but it has now been established - to a certainty - that the homicide

detectives were given the whole story by an informer and knew it before he told them so there was no reason to keep the same information from the people.

In 1972, none of the charges against Popeye could be proved and his parole officer reluctantly recommended that his parole not be violated. The board overrode him and violated Popeye even though they could find no reason other than some traffic tickets. It is not unusual for the board to ignore the parole officer's recommendation, and they did not like Popeye. Perhaps it was his politics, 1972 was a big year.

Karl: After he broke off with the regular prisoners' union, he didn't have too many members. He would come up with big signs and support other people's protests. I think that's how he first started making himself visible.

He was very visible to Alexander Jason, undercover police agent. An investigator worked for days in tracking him down after it was discovered how much he would know and that he had quit the force. Jason had become a *private* investigator, working for attorneys and - of all things - had an article published in the current T.V. Guide. He agreed to an interview but was cautious and - when the investigator couldn't resist asking a couple questions about police methods and tactics - shut up like a clam. Jason had infiltrated all the radical groups in the Bay Area including - finally - Venceremos.

Venceremos I was very interested in... and Popeye was secretly Minister of Defense. I recognized him when I went under cover... I knew he would be a big leader... because he had the background, the credentials. He was black, he was tough... and all the attention in revolutionary circles was in prisoners being the most politically conscious.

The U.S. House of Representatives Committee on Internal Security (formerly the House Un-American Activities Committee) talks about Venceremos: ...members... have gathered firearms and explosives and have trained members in their use under anticipated guerrilla warfare conditions. Included in their organization is a secret apparatus intended for completely illegal activities: assassinations, robberies, and sabotage. Weapons instruction was given by the Minister of Prisons, now the Minister of Defense of Venceremos.

What was Venceremos into at that time? Mostly training. Study groups. We had a lot of weapons. They planned to attack a prison bus; kill the guards and give each of the prisoners a gun and clothing... try to recruit them on the spot.

Popeye was making powerful enemies. The neo-HUAC discussed him at length, as did the California Subcommittee on civil disorder. He didn't get along well with the leadership of Venceremos either. Jason: The Venceremos were smarter... A lot of people in Venceremos even had the courage to challenge him: "This is bullshit Popeye. If you're a revolutionary, you don't do this kind of stuff." So, he had a lot of trouble... with the Central Committee. Popeye had a great hatred of the ruling class that had kept him in their cages for most of his adult life and Venceremos revolutionaries - at a lower level - could dig it. They all hung out around Popeye. (The UPU) was a center of activity... they had all the meetings there, and all the committees. They didn't always get along though: There was a meeting... Popeye came in and took over. Bruce (last name deleted) was a pretty nice guy - you know - a revolutionary brother... and, he criticized Popeye, said something like: "Now just wait a minute Popeye". And Popeye said: "What? You tell me to wait a minute motherfucker? Step outside!" They were going to start fighting.

Why did the Central Committee put up with Popeye? The principles of unity of Venceremos. Before you could constitute yourself as a Venceremos organization, you had to have more than 50% on the Central Committee (that were) black, third world minority, or women. So, they always needed blacks, it was a big problem... it was hard to find them.

Popeye was a per-
revolutionary, he had
ers... Popeye was WE PATRONIZED HIM perfect guy. He was a rev-
wanted to hear. However: He drove a Cadillac, was a chauvinist, ex-
tremely sexist! We were supposed to accept him as a superior because
he'd done 19 years. Popeye was an embarrassment and an affront to rev-
olutionary principles. We all failed to act - to denounce him - for
the fear that he was - perhaps - ahead of us, a higher political aware-
ness. It was racism in its worst form, we patronized him.

He used to handle and fondle women. Self respecting revolutionary wo-
men... Good women, *even though they were communists.* (Emphasis added)
What really pissed me off, I guess, (was) seeing what he did to women.
He made one revolutionary woman turn a trick. She fought it all the
way, but she turned-out for him. She didn't do it for money, she did
it for him. He made her wear mini-skirts and makeup. She gave up her
struggle and vanished. She was just a broken woman.

Alexander Jason was on his way up. He found out everything about every-
body in his 8 months under cover and - when he surfaced - immediately
became a Detective in Intelligence. The movement was upset to say the
least and a WANTED poster with his picture on it was soon in circula-

tion but Jason had grown to like the sisters and brothers he had spied upon. I have admiration and respect for true revolutionary figures and - they wouldn't believe it - affection. He had no respect or admiration for Popeye and immediately planted an informer, Jessica, in the UPU offices. She made daily reports, took pictures with a camera he provided, took Popeye's car to - and assisted in - an illegal search, and loaned Jason the keys to the UPU offices to Jason so that he could make duplicates - presumably - to facilitate a police burglary. Jason "could not remember" anything about the keys although all his other memories seemed intact: She told me what Popeye was doing... how he was dealing dope and giving her dope... She knew he was a phony and... she couldn't even spell Mao. I asked "what happened today?" and she said "there was a meeting". Jason asked: "Well, what were they talking about?" She said "this guy Mayo or something". What? She said "Mayo". I said: "Oh. Mao. Goddamnit, you better learn this shit if you're gonna be an undercover agent. For Christ's sake. Mayo."

She knew what Popeye was, she'd seen him all her life. She was a little street rat. She knew Popeye was just a big con-man nigger... She knew he wasn't no... higher level of consciousness crap, he was just a big bullshitter. He liked her because she did a lot... They had these benefit dances and things and he trusted her because she wasn't a revolutionary and

door to collect
back and take
wouldn't say

*WHEN POPEYE COMES IN -
I'M SITTING NEXT TO HIM*

he put her at the
money. ...he'd go
the money and she
anything about it be-
cause she didn't give a shit. She was stealing money too probably. If
a revolutionary were there, they would say "we took in 500 bucks and
where's this gonna go?" She said that the other women were always
fighting over him: "When Popeye comes in, I'm sitting next to him."
Ridiculous stuff.

Jason spent a lot of time watching Popeye: One girl I talked to... was a whore down in the Mission. And she was really afraid of Popeye because he beat her up a couple times. He'd come up, just a pimp: "Hey bitch, I want you to work for me". And, she'd say: "I don't work for you..." He'd slap her around and try to recruit her; she was afraid of him. And she bought drugs; she bought heroin from him. That was one case I could have substantiated (at the big trial to come). I blew it. Jessy was telling me about all the drug dealing he was doing. I thought - gee - maybe sometime when he's carrying a lot of heroin... we'll make a little set-up. I was trying to think about it but... I didn't want to break-up what he was doing... I didn't get along with the guys in narcotics that well anyway. Then he gets arrested and they say I framed him... I didn't even know he was arrested 'till the next

day.

That arrest was the beginning of a major event in Bay Area radical politics. The day before, a sister Sandra was busted for prostitution and - according to the cops - told them that she was on her way to score heroin from Popeye at 18th and Mission, where he was dealing out of the trunk of his car. The heroin was supposed to be in a tennis shoe. He wasn't there when they got there but they rousted him the next day and claim he gave them permission to search his car which doesn't seem likely. The tennis shoes were in the trunk and in the toe of one of them was: a credit card in the name of George (last name deleted), some grass, and 7 balloons of heroin - dime bags. Popeye was down, with a bad beef. He was charged with possession of heroin for sale, possession of grass, and possession of a stolen credit card. Jason was soon in the act, secretly listening to his conversations over the jail visiting telephone system: They got me for some bad shit this time. We gotta get Ron Dellums, get Ken Mead and Cecil Williams. Let's get these guys working. 2 U.S. Congresspersons and the fiery reverend, and that was just the beginning.

Jessy had blown her cover: She did a lot of dumb things... She told other people, people in bars... So, eventually, the word got back to them. They said: "Alright, we know about you and you're going to co-operate, *or else.*" She's just a little street rat, she'll work for anybody so she said: "Sure, I'm on your side." They (Venceremos) may have been a little skeptical because - according to Jessy - they took her into the hills down the peninsula to get her story straight. A press conference was called a few days later and Jessy, flanked by members of Venceremos, admitted that she was on the police payroll and said that Jason had set Popeye up - that she knew about it before it happened.

Brother Sleepy from the UPU - then of Venceremos - confirmed that there had probably been some pressure "from both sides" although he, himself, hadn't been in on it.

Jason: She snuck away while everybody was asleep one night... She called me and said: "I'm sorry about that and I'll help you now." So, she testified for us... (She said) that saying that I had framed Popeye was a bunch of bullshit. She came back out of conscience...

She couldn't help much, she never remembered dates, never remembered times... it was a big problem. There was nothing concrete she could say about Popeye that would really hang him. Having changed her story, the jury didn't believe her. Sister Sandra also recanted, leaving the

prosecution with no witnesses but the cops who made the arrest. They had bungled the evidence, lost the tennis shoes, lost interest in the case when it became a political trial, and were not credible because of the bullshit about Popeye giving permission to search his car.

The Bar Area is not the place to try to convict a revolutionary. The most radical groups in the country are there and have a broad base of support in the community. There's no better place to get a good jury and Popeye's returned a *not guilty*.

Popeye - however - was on parole. The parole board - they call themselves the Adult Authority - was to prove a more formidable opponent. If you're on parole and get arrested, they can keep you from making bail by placing a parole "hold" on you and make you prepare your defense from a jail cell. They can revoke your parole, even after a jury finds you innocent. After Popeye was acquitted of the heroin charges, they let him out of jail but announced that they would hold a revocation hearing. Nobody much likes the parole board and the community exploded. The issues were clear: They were trying to revoke Popeye's parole for a crime the jury said he didn't commit. *FREE POPEYE* buttons and posters appeared everywhere and it was written large on walls and fences throughout the Bay Area. There were talk shows, newscasts, and rallies; the movement lined up solidly behind Popeye for the first and last time. The unit parole office was flooded with letters and phone calls and the parole board was probably deluged. Few were unaware of the battle that was being fought. Popeye had become the event of the season.

San Quentin is a bleak fortress. Like the abandoned Alcatraz in the same San Francisco Bay, it is the prison of the 40's gangster movies, 30 years older. Its walls are high and wide; wide enough for a gunwalk on top. The main gun tower at the front gate features a machine gun on a 360° track and it is an arsenal for *SAN QUENTIN IS A BLEAK FORTRESS* teargas, small arms, machine guns, bombs, and anti-personnel grenades. To get to the big yard, you would have to pass through 4 separate locked gates. To get into the adjustment center or the regular hole, add 3 or 4 more. If you got all the way inside, there would always be a gunwalk overhead. If you got inside a cell, through the bars you would see 2 gunwalks opposite you. On the gunwalks are cops with sidearms for hand-to-hand combat. In addition, each carries either a rifle, a shotgun, or a machine gun. It was here that the board decided to hold Popeye's revocation hearing. They had taken counsel from their secret police, and Popeye had to go.

Special Services is the C.I.A. of Corrections said one of the many parole agents interviewed by a peoples' investigator. Special Services - the SS - is like the C.I.A. in that they don't seem to answer to anybody but themselves. SS does the dirty work for the board, for corrections and paroles, and on their own initiative. Mostly on their own initiative. They are the only parole agents who carry guns and they use them. Another parole agent tells of one of the SS approaching another parole agent with mistaken information about a parolee on the agent's caseload. Together they went to the parolee's house to confront him but he wouldn't open the door so the SS agent shot him in the stomach through the door. A brother tells of getting an unexpected parole with only a year to go until his top. He was quickly transferred from the adjustment center to a minimum security prison to "decompress" and allowed completely out of the prison on work furlough during the day. A mind blowing experience for someone who has just spent 9 years inside, most of it in the adjustment center.

Then the SS arrived. If he wanted to keep his parole, he would have to corroborate the testimony of an informer who was the basis of a very heavy case that they very much wanted to win. To have done so would surely have cost him his life and he told them "no fucking way!" Fortunately, he could only be made to do one more year and that was not sufficient leverage. They could not bend him to their will, and they split. The SS were bluffing, and the brother did not lose his parole.

Informers are an SS specialty and they surrounded Popeye with them. They knew everything he was doing and presented the board with a long list that included dealing heroin, pimping, hot checks, *HE'S ONE OF THE WORST* counterfeit money, weapons, intimating witnesses, and close ties to "terrorists". Bill Fredericks of the SS told the board: "He's one of the worst" and gave them 3 secret reports. They have never been seen by anyone and it is unlikely they ever will be. Whatever they said made the board very determined and they forged ahead in the face of growing opposition.

On April 23rd, 1974, Popeye walked through the main gate at San Quentin, perhaps never to return which surely would have upset the 150 supporters marching outside in the rain. Along with Popeye and his lawyer were 18 favorable witnesses including: Sister Sandra, Bill Schechner from the educational T.V. "newsroom", a doctor and a medical student, a parole specialist, Reverends Boswell and Cecil Williams, Willie Brown from the state assembly, and U.S. Congressperson Ron Dellums.

In the longest revocation hearing anybody remembers - the norm is more like 5 minutes - Popeye's team overwhelmed them. All the charges except the heroin possession were successfully challenged by Judd Scott, Popeye's attorney, because they were based on hearsay evidence. This included the 3 secret SS reports. Then Judd argued that the heroin possession should be thrown out as well since Popeye had already been acquitted of that charge by a jury. The board replied that the kind of evidence allowed in a court to determine conviction of a crime and the kind of evidence used in determining a violation of a condition of parole could differ. This was another way of saying what all cons know: the board does what it wants to do. In a normal revocation hearing, nothing can be truly "thrown out" - it can only become a "silent beef" and they're often the worst kind.

But this was not a normal revocation hearing, everybody was watching. Popeye's witnesses went to work on the heroin charge with one voice. *No one*, in the farthest reach of their imagination, could believe Popeye would be in possession of heroin. His anti drug attitudes were too well known; he gave speeches in the

Popeye testified that the police had framed him because of his political activities. He said that the police were professional liars: They can look you right in the eye and tell a lie he said as he looked them right in the eye and said that his activities with Venceremos were limited to fund raising and that he had quit over a year before because Venceremos was a paper organization. He told how he had assisted the director of corrections - Prochnier - in solving the "lock down" problem and said he had always talked about progressive prison reform and had never advocated violence.

His parole officer - Richard Prouty - tried to tell the board about a parolee that Popeye and another brother had almost killed. He had been stabbed repeatedly in the neck in a clearly deliberate attempt on his life but that story couldn't be told either. The court learned from the other brother that they were going to work the victim over because he'd **hassled** a sister with unwanted sexual advances. He defended himself with a knife so they took it away from him and tried to finish him off for good. The brother almost died and has been in hiding ever since.

Peoples' justice, Popeye style.

In an absurd face-saving act that barely concealed their total defeat, the board found Popeye guilty of the charges of possession of heroin but reinstated his parole anyway. Popeye had won.

Was Popeye dealing heroin? One of his closest comrades at the time, brother Nash, says yes. I knew that was his dope; I couldn't co-sign that lie. At the same time - being me - I couldn't bad rap him. Nash had known Popeye for years; why did he wait until then to cut him loose for lying? Popeye had always lied. Nash: What it was, I started growing... My political consciousness grew... (and) my association with him became very distasteful. He thought he was the slickest mother-fucker in the world... I think the brother was sick!

Sister Sheila had a certain amount of contact with Bay Area heroin dealers after Tony got strung out. I... was there and saw him sell heroin... Tony went to score and I was with him. Popeye was discussing some dope he had with brother O. and how much it was going to cost. And then, they went into another room... came back out again, and Popeye left. O showed Tony the dope... said "This is what I just bought" and Popeye was the only other person in the room. Was it good dope? No. It was shit.

A lot of sisters and brothers thought Popeye was probably guilty of possessing the seven dime bags but was there any proof? An investigator turned up brother George whose credit card was found in the toe of the tennis shoe and he supplied the conclusive proof. He had been scoring from Popeye's wife - Sue - for some time. Popeye took over the heroin business when he decided that he could handle the dope and Sue could go back to turning tricks. That way, they'd both be making money. He put Sue back on the street and - for a short period - sold a lot of heroin. George scored from him a lot (heroin customers tend to be pretty regular) and often copped at the UPU offices. He had scored from Popeye at the corner of 18th and Mission 10 minutes before the CONCLUSIVE PROOF bust. George didn't have enough money to pay for the heroin he bought and offered to let Popeye hold his credit card as collateral. Any credit card is usually good for a few hundred dollars in merchandise and Popeye agreed. He put the credit card in the toe of the tennis shoe with the heroin and it was found there - 10 minutes later - by the cops. The stolen credit card charges were dropped when George would not testify that his card had been stolen. George would not speak on the tape (for obvious reasons) but told his story to a member of the court and confirmed it - over the telephone - for another member.

Popeye had marshalled the support of many brothers and sisters who did not know him well. Many who did had grown to hate him. Sheila: I really do have a bad opinion of him... You know, it's close to hatred. On a lot of levels, I think he should have died... but, buying into that... is like saying that's the way we should live. If we can't live together, then we should just wipe each other out in the fucking street.

Pat: Popeye had so many enemies, especially inside... Popeye knew that if he got back inside the joint, he wouldn't leave alive. There were too many convicts after him; there were too many who wanted to see him dead. I couldn't stand being in the same room with him.

No long faces was the word received from the yard at Folsom after Popeye was killed. According to a brother who had just left the San Quentin adjustment center, all the heavy revolutionaries there *didn't dig* him.

Jason: I'm glad he's dead; he was an evil person. There was no redeeming value in

Popeye *I'D SURE LIKE TO PUT A BULLET IN HIS HEAD* Jackson. I thought about killing him myself actually. I did. I really did. I thought - gee - I'd sure like to put a bullet in his head. I was so glad when I heard that someone else did. Fortunately, Jason had resisted the temptation for Popeye's enemies had given up on him too easily... too soon.

Cons who have done much time know that it takes awhile to catch-up after you're back among normal people. Only positive experiences can reorder your awareness and lift it from the ruts of hatred and fear that are everyday experiences in the joint. The love of comrades is an unfamiliar experience that cannot be immediately or easily accepted. Yet, it is this love that can be their salvation. Popeye - new hero of the revolution - had begun the last year of his life, but something had changed. Somewhere in the middle of being in jail, the trial, or the revocation hearing, Popeye had changed. Something had entered his head that was more powerful than a bullet - the force of love.

Hundreds of sisters and brothers had lined-up behind Popeye out of comradely love for a brother they thought was being treated unfairly. It seems that he was most powerfully effected by the forces he had set in motion and he would never again be quite the same. After the revocation hearing, as he walked out of San Quentin into the rain and the cheers of his comrades who had stood in it all day, the excitement caused one brother to have a seizure. Ignoring the cheers of the crowd, Popeye went directly to him and - squatting in the rain - held him in his arms.

It was the beginning of a new life for Popeye. New comrades and - most importantly - a new and very revolutionary woman, another sister Pat.

Pat had done 2 years in Ohio on a 5 to 20 for possession of a small amount of grass and - then - a year in Washington D.C. on parole. Her father died while she was doing time, leaving her with no family but a brother and some cousins. Late in 1973, she came to the Bay Area, looking for something to do that would make life interesting. Attracted to the prison movement, she drifted into Popeye's orbit. She was just what he had been looking for: an articulate woman ex-convict who was willing to speak. They were soon sharing the task of telling audiences what it was like in the joint. Popeye no longer had much time for hustling; beating the heroin charge had become a full-time job. Shortly after the victory at San Quentin, they were living together.

The UPU had never amounted to much; Popeye dominated it and it was just one of his many hustles. He gave a lot of speeches but no one did much real work. Pat had energy. Sheevy: I really think it was Pat (last name deleted). I hate to be sexist but I think she deserves much more credit than he does. He was totally un-together on the whole revolution. Only when she came in and started working with the UPU did it finally develop a certain continuity... a certain something that it never had before. I think she had a stabilizing influence in that organization - and on Popeye - that he never had before. She was instrumental in trying to get a new jacket on Popeye: that Popeye had seen the light. "He used to be a hustler..." I don't believe this happened.

We think Sheevy was wrong, that it wasn't mostly Pat or mostly Popeye, it was Pat *and* Popeye. They spoke together and co-wrote articles; he learned about a revolutionary life-style and about work. Pat learned about Popeye's *kill the pigs* style of revolution. Popeye quit stealing and dealing, and they were poor. For lack of funds, they had to move the UPU offices out of Glide Church and they found free quarters with the White Panthers. Since no one else had ever had to leave Glide for lack of funds and that Popeye and out and he was and Cecil had eulogized Popeye after his death, an investigator interviewed "the Reverend" to attempt to resolve the contradiction. His remarks are not included here because it was the unanimous conclusion of the court that he had not told the truth. The evidence for the multi-part conclusion of the court on Cecil Williams is in 2 taped interviews and 3 taped telephone conversations and transcripts - or copies of the tapes - are available from the court's comrades.

CECIL WILLIAMS LIED

the word at the UPU was the Reverend had fallen-calling Cecil a fascist,

The new UPU offices needed a lot of work and Popeye did most of it himself. He was becoming a family man; Popeye, Pat, and his 3 year old son, My man malcolm. Brother Don who lived across the street said: He spent a lot of time playing with the kids on the street. In the nearby projects, he played basketball with neighborhood youngsters.

Investigators found all this a little hard to believe and searched hard for people who had negative contacts with Popeye during his last year. The only incident that could be substantiated was an attempt to back-down a Pinochle opponent in a dispute over losses while he was in the San Bruno Jail early in 1975. Brother James - his Pinochle partner - says Popeye threatened to kill the brother but the brother wouldn't back down and they later worked it out. No big deal.

While most of his earlier associates had become enemies, it seems that it was now possible to love Popeye and he made real friends. He stopped getting arrested and his new parole officer - gaining respect for the work he was doing - began to defend and commend him to superiors. He served on committees, and did not break up the meetings. He refrained from attacking his old enemies, even when specifically invited to do so. He mellowed toward his comrades and - more and more - his anger became focused on what he had come to see was the real enemy: *the ruling class*. It was they who were responsible for his years of suffering and for the suffering of his brothers and sisters, inside and out.

It was a very large anger, and nothing but their physical destruction would satisfy it. Politically, Popeye was the major proponent of total warfare, as long as somebody else did the fighting. No matter how difficult an action, it usually fell short of what he would expect from a real revolutionary. He defended the SLA when the most radical groups were un-

so after *CYANIDE BULLETS AND AN UNKNOWN TARGET* willing to do the Marcus Foster murder. Cyanide bullets

and an unknown target - a black one at that - just didn't seem to make much sense but no one wanted to be less revolutionary than Popeye, the hero of the movement, defeater of the Adult Authority. Popeye not only defended the SLA, he insisted that they were the model for correct revolutionary action - for others. Everybody reacted defensively and the peoples' forces underground stepped up the frequency and intensity of their operations. Many of them were Popeye's comrades from the days of Venceremos. The New World Liberation Front - the most active and most principled of the underground groups - led the way and their actions became more frequent and more dangerous as many comrades held their breath. It is not known how many of Popeye's fighters were left on the canvas because they were urged to attempt a first-round knockout.

While few comrades questioned the courage or commitment of their sisters and brothers in the SLA, they were hard to identify with because their practice did not demonstrate a concern for people, the very people they were fighting for. *Anybody* might be kidnapped, shot, or shot dead if their vehicle were needed or they got in the way of a bank robbery and these actions were done to further political goals that were never very clear or consistent. The NWLF - on the other hand - were gaining stature in the movement and their practice began to be seriously considered as an example by aboveground comrades. A large part of this acceptance had to do with the fact that - in almost 20 (at this writing) major actions - *no person had been injured*. There is strong reason to believe that our comrades in the SLA - those still alive - modified their practice and theory as a direct result of the NWLF example and - perhaps - they are still alive for that reason. To err is not unprincipled and to recognize your errors is one of the highest forms of revolutionary practice. Popeye was unable to see the errors of the SLA because his great anger blinded him to the realities of the situation. He did not want the SLA to become the NWLF (as it seems they considered doing *formally* at one point) - he wanted it the other way around. Fortunately, the NWLF *did* have a clear and consistent idea of what they were about, and refused to be provoked. A majority of the sisters and brothers who sat on the peoples' court have immense respect for these brave comrades and their call for the convicted class to analyze the situation was a major motivating force in the preparation of this analysis.

Brother Popeye finally fell out with the NWLF who came to see his words as dangerous to less sophisticated comrades who might be provoked into throwing their valuable lives away. The police must have been even more concerned;

and doing *PUNKS AND PLASTIC REVOLUTIONARIES* what he was saying
than giving was a lot heavier
instruction. The ruling class - and everybody else - were on the way to
reaping the very bitter harvest of anger that grew in a human being they
had kept in a cage for most of his adult life. As brother Bob said:
Someday they'll wind up and meet you at your crossroads, from inside the
walls...

The revolution, the movement, was at the crossroads. A large number of brothers and sisters - frustrated by their inability to make rapid change in a system that could do such things - were ready to tear the system apart with guns and bombs. Would the revolution manifest a large underground of terrorists to fight a class that would not yield to any lesser pressure? Popeye said "yes". He called those underground a bunch of punks and plastic revolutionaries. For a sister or brother who

had put his life on the line for the revolution and was trying to be a model of courage, Popeye's words sounded like trashing. Even some of his closest partners thought he went too far. Sleepy: I always felt that trashing the underground groups was trashing the work they did... I pretty much uncritically support the underground. Part of Popeye's attitude was - of course - projection. He was not, after all, doing any of the actions he was urging on others. He had no taste for living underground.

Popeye: The reason I never wanted to escape was because... I didn't want to be continually ducking and dodging and not being able to even get stopped by the pigs, knowing if they run a make, I was going back to jail. I didn't want to live under those conditions. It was more than projection though; he wanted to put his fist - his fighter's fist - in the face of the enemy. Just as he had marshalled the strength of the movement to whip the board, he would direct it in delivering more telling blows. Popeye now had greater stature in the movement and his great anger was now clearly focused, rather than dissipated in a thousand trivial hates. Popeye was a hard man to ignore. He now had a cadre of real revolutionaries in the UPU to back his play and amplify his voice.

There were a few distractions however. He had wronged a lot of brothers and sisters - many of them very violent people - and they would not forget. People kept trying to kill him. Getting shot at was not an unusual

ly while

PEOPLE KEPT TRYING TO KILL HIM

event, particular-

driving an auto-

There is a bullet

hole in the roof of his old Cadillac with a trajectory that says he was fired upon from in front; the second story of a building on the right side of the street. The bullet was a large one - probably fired from a rifle - and must have passed within inches of his head. Sally Voye's car was riddled with bullets from a .45 calibre pistol as Popeye, Pat, and Malcolm were getting out; they - miraculously - escaped a small barrage. These were both planned ambushes and the size of the bullets says that someone was very serious. Everybody seems to agree that: Popeye had a lot of enemies. The kind who don't care if they blow away a 3 year old child or a bystander. That kind of hatred can only be personal.

Popeye continued to grow. He was able to talk of his recent past in these terms: I was on a hell of an ego trip at that point. I was putting forth the image of *Popeye Jackson*, not thinking about the comrades who were locked down inside also. It took me a long time to get my shit together. Gradually, my political level, my conscience (sic) level, be-

gan to be raised to a level of awareness and I saw that it wasn't just me that needed help. I saw that a lot of people needed help. All these things began to help me get my shit together.

And he talked about prisons. ...I've seen them use pick-axe handles to just beat people. I saw them knock out a convict named Robert, just knocked his eye clean out of the socket. When I was in Folsom, I saw ... comrades shot... for fistfighting. In some of these instances, they wasn't even fighting, they was horse playing. The pig said: "I thought they was fighting" and shot them. It's the only place in the world where people are shot for a fistfight. Anywhere men and women congregate, there's going to be disputes that's gonna lead to fist-cuffs but that's the only place in the world where human beings are shot - and killed - for a fistfight.

He was even coming to understand the plight of the guards: We have to understand that the prison guards are subjected to a lot of bullshit too, because they are dealing with a system that we have been forced to adhere to... for 200 years. But, lest anyone think he was getting soft: If I had my way, I'd get a machine gun - line them all up against the walls - and blow their fucking asses up. Right today! If a situation would arise where blow his fucking ass up and I want that clearly understood it'd be me or a pig, I'd FUCK YOU! because this is where my head is at. I'm a fucking revolutionary and I put forth revolutionary politics at all times. I'm not here involved in no prison reform - no fucking rehabilitation program - 'cause I know, from 19 years of being inside, that there's no such thing as reform or rehabilitation. Anybody who puts that forth is fucked up as far as I'm concerned. I want it understood! Anybody here that come here thinking I'm going to talk about reformism or rehabilitation... fuck you! And I want that clearly understood.

What Popeye didn't understand was that if you were going to take on the system in such a direct fashion, you had to be very very careful. On August 19th, he and Pat made a very big mistake. They boosted a roll of film and some flashcubes at a local department store and the clerk in the camera department saw them. He attracted the attention of a store detective and they caught up with Popeye and Pat in the women's department, picking up two more store detectives along the way. The 4 of them watched while Popeye stole 2 blouses for Pat, sticking them down inside his pants. *An airtight case with 4 eyewitnesses*, just what the man dreams about when he's looking for a way to send you back to the pen.

The new Popeye - and there could be no better example of how he'd changed - publically apologized to the movement for having done a very stupid thing. When had he ever apologized for anything before? If it was a revolutionary crime, it was a small one, for many people in the movement boost and not a few do most of their eating in Safeway. The man, however, was thinking of more than a public apology.

Tom Creary is a *high power* District Attorney who handles all the political cases. He may not have tried many petty theft cases, but he was ready to try this one. Judd Scott, Popeye's lawyer, asked what kind of a deal could be made and the answer was *none*. They wanted the full pound of flesh: plead guilty and get the maximum sentence or go to trial - lose - and get the maximum sentence. It was not a promising situation and everybody agrees that Popeye was very worried. If he was returned to San Quentin, he would have been killed by old enemies or have spent the rest of his life in the adjustment center protective custody. He did - after all - have a life top. No more speeches, no more Malcolm, no more Pat. A lot to worry about.

This section of the analysis - relating to statements made by Sally Moore - was deleted because the reliability of the statements could not be confirmed.

As one brother said: Petty with a prior, you go to the joint! How many guys have gone back to the pen just for saying something crazy to their parole officer? There have been a few, for sure.

Judd Scott could think of no strategy and his only tactic was to stall. Judd stalled so long - and so hard - that he worried the Judge would get pissed at him. Lawyers cannot afford to use tactics that will anger a judge; in the next case, they might find themselves with no room to maneuver at all. Still, he continued to stall. There was nothing else to do.

Suddenly, the cloud passed. The tactics of desperation had become the tactics of victory! Judd had stalled so long that they had to take the high power D.A. off Popeye's case. He was replaced with a most agreeable assistant D.A., Jamie Sutton. Sutton was ready to deal, and *THE CLOUD PASSES* the deal got sweeter and sweeter until Judd had him down to 60 days in the County jail. Sutton would have gone for no time at all... but the Judge wouldn't go for that. He did, however, agree to delay execution of sentence until Popeye got off parole on April 4th. A complete turn-about! Pat got 10 days which was not a very good deal at all for a woman who had never been busted for anything but grass and was 6 months

pregnant.

If this was a great victory, it was only preliminary. Once again - as Judd said - it was the Adult Authority I was really worried about. And well he should have been. Less than a year before - in the words of a parole officer - He made fools of them. The parole board had been made to answer to the people and did not like what they had been forced to do. They did not like the precedent, and they did not like Popeye. You do not demand formal hearings with lawyers and witnesses when you're at their mercy. This time, the only other principal in the drama would be Popeye's parole officer, John Williams. He had to make a recommendation.

John is a gentle soul who has made a career of helping cons who would - otherwise - be chomped or swallowed whole by the stupidity of corrections and the parole board. He is respected among Bay Area cons for his integrity, truthfulness, and for invariably being on their side. He is assigned all the heavy cases because he can get along with them and because the SS does the real supervision anyway.

John liked Popeye - as he likes most everyone - and he wrote a very good recommendation: Mr Jackson's only source of income is... welfare payments for his minor son and Ms (sister Pat's) wages from her part time job. They often sharing *THE COUPLE LIVE VERY SIMPLY* live very simply, with parolees their modest flat housing. Mr Jackson continues to refuse to discuss the incident, although the couple have pled innocent in court. If Mr Jackson is guilty, the petty theft is seen as a slight regression due to financial stress, and not on-going behavior. The proposed local county jail sentence would be more than adequate punishment for this crime. Mr Jackson's good deeds for ex-offenders also deserves consideration. (Recommend) continue on parole without refixing term. Allow Mr Jackson to discharge on 4-4-75.

In 1972, Popeye's parole officer was Robert McDonough and he made a favorable recommendation on the guns and hot car beef. The board ignored his recommendation and Popeye was violated even though they could find no better reason than traffic tickets. In 1973 and 1974, Popeye's parole officers were Fred Steinberg and Richard Prouty. They were consistently ignored or overruled by the board and their superiors in corrections when they made favorable recommendations. In 1975 - without even waiting to find out if Popeye pled or was found guilty - they adopted his parole officer's recommendation. According to Raymond Pro-cunier, Chairman of the Board: At the revocation hearing, there simply

was not a sound enough case against him to revoke parole.

Early in the investigation - long before anyone thought of a peoples' court - an arrangement was made with New Times magazine, in New York, to print the results of the investigation in return for a donation to a charity in India. This was done in order to obtain press credentials with which the adult authority and the department of corrections could be intimidated. The New Times subsequently refused to print the analysis. Perhaps it was the 24 hour deadlines we kept forcing on them, more likely, it was the political content. It was well that they backed out for we were left with no obligations and the results of a most successful strategy. Corrections got themselves in deeper and deeper with each new letter or "New Times" interview and finally broke off correspondence when they were presented with a list of questions that they could not answer. They should have stonewalled us from the beginning for the information we *did* get enabled the court to conclude that Popeye - almost beyond question - had made a deal.

"Pro" - Raymond Procnier - was Reagan's Director of Corrections before the new governor appointed him Chairman of the Adult Authority. It was Brown's most controversial appointment and was not approved by the legislature. His lieutenant - Jiro Enimoto - was appointed Director. Pro is the man. He responded to a letter from the "New Times" by writing: I have had your letter in the matter of Popeye Jackson thoroughly investigated, numerous people and the records were consulted. There was no deal made at any time, nor was there any information uncovered that Popeye was working as an informant. An investigator asked in his office, who was consulted? He did not know. His investigator had done all that. Who was his investigator? He would not say; it didn't matter anyway, the investigator had just left for a 3 week vacation. Which board members were on the panel at Popeye's revocation hearing? Again, he wouldn't say. Wasn't that a matter of public record? I don't know. Even though he hadn't even been part of the parole board at the time, Pro was taking the responsibility for everything. *Taking all the heat* as he put it.

A request to interview Bill Fredericks of the 3 secret reports was referred to Phil Guthrie, assistant director for public information; the PR man. He, the director, and another assistant director, George Jackson, considered the matter. Collective decision making had come to corrections and the collective decision was *no*, Fredericks would not be permitted to give an interview. Guthrie letter: ...We are not prepared to authorize an interview with Mr Fredericks of our Special Services unit. As you probably know, this unit functions as a liaison ser-

vice with various law enforcement agencies, and it receives some information developed from informants and other police intelligence sources. Such information, *much of it speculative or unreliable*, cannot properly be discussed in any public context. (Emphasis added) Guthrie would - however - ...be happy to cooperate with you in providing all public record type information from Popeye's file. The documents requested were the minutes of the revocation hearing and anything else pertaining to that event, the 103-B card (usually several cards stapled or taped together that contain brief descriptions of all the beefs you get in the joint - 115's - as well as jobs you have had, cells you have lived in, and other background information - the "custody" card) and a letter Popeye had written directly to the parole board at the time of the 1972 guns and hot car beef. We suspected that this was a snitch letter and knew for certain that it existed. It was described elsewhere as "subject's written statement is attached (to a report to the parole board by parole officer Robert McDonough) as Addenda #2."

The Sacramento file was delivered by a secretary but - too bad - everything requested was mysteriously missing. There was not one document relating to the revocation hearing. Guthrie couldn't understand why but it was of no importance. The central file at the Region office would have everything, and Guthrie would send for it immediately; would call the New Times Reporter as soon as it arrived.

Guthrie called two days later: Well, I've got some good news and some bad news. I'll give you the good news first: I've got the 103-B card. Everything else was gone forever: In accordance with department procedures, it had been sent to the archives at Vacaville after Popeye's discharge and it had been "stripped" of non-essential material. The investigator asked Guthrie to read the list of documents that were considered essential and it turned out that the documents requested should have been there. The letter Popeye wrote should have been stamped "permanent addenda" and kept, and the document issuing from a parole board action - the 279 form - should have been there as well. Where did they go?

Corrections and the parole board decided - after a few days consultation - that it had never existed. Regulations did *PRO CAN'T TAKE THE HEAT* not demand that one be written in cases where the board took no unfavorable action, and none had been written in Popeye's case. Guthrie passed this information along and said that the investigator could be sure that it was true because he'd gotten it straight from the board. From whom on the board did he get the information? He would not say. Guthrie was now taking the heat. Asked to put it in writing,

he responded with a letter which said that the regulations did not require a 279 form to be issued in Popeye's case. The return letter from the investigator reminded him that what he had said was: no 279 *was* issued and not that no 279 *had* to be issued. He was asked to put *that* in writing. Corrections broke off the correspondence at this point.

Pro's cover up was most thorough. He dealt with the only other file, the unit parole file, in this manner: immediately after his "investigation" began, the unit supervisor - Ike Rivers - called for the file and removed the 279 form. The investigator asked if anybody had called him from Sacramento about Popeye after he was killed. No. Never. He had called for the file "out of curiosity". He had not been curious when Popeye was killed. Not even when the press quoted unnamed sources - one in State Government - as saying that Popeye was an informer. Not even when he had received a letter that seemed to threaten his life in connection with Popeye. But - that day - he was curious. And no one had called him from Sacramento about Popeye? *Never*. When told that Guthrie had said that he had talked to him about Popeye, he became very upset and said that he had a bad memory. Was he sure that he had removed nothing from the file? *Definitely!* Under questioning, he became even more upset and ushered the investigator out, forcefully restating all that he had said. Someone who saw him later that day said that he was still upset.

Unfortunately for Rivers and whoever gave the order in Sacramento, 2 people had seen and read the "never issued" 279 form in Popeye's parole file, shortly before Rivers removed it. While it is not appropriate to name the two per-

sons who saw and read
the 279 form at
prepared to testify

THE COVERUP UNRAVELS

this time, both are pre-
under oath, in the un-

likely event that any government body wishes to undertake an investigation of the department of corrections and the parole board. The "new" governor was asked - in a letter - to break the wall of silence that the department of corrections was hiding behind and one of his aides - the one that's supposed to oversee corrections - was sent copies of the correspondence. He did not reply, and it must be assumed that he approves of what his Chairman did. The letter to the Governor warned him that his integrity would be called into question if he permitted corrections and the board to get away with it and we now call his integrity into question.

The 279 form wasn't even an important document; it used John Williams' words - almost verbatim - as reasons for not violating Popeye's parole. When Pro orders a cover-up, he gets everything. One can only wonder what was lost from the Sacramento file or stripped from the file in Vac-

aville. The peoples' court concluded that no one orders a cover-up when there is nothing to cover up.

It is unreasonable to believe that the high-power D.A. was pulled off Popeye's case because he had more important things to do. The case against Popeye was airtight and required absolutely no effort. Judd Scott admits that it is possible Popeye made a deal that he knew nothing about.

It is also unreasonable to believe that Popeye's case would have been dealt with so leniently by a parole board who had tried so hard to revoke his parole less than a year before, and had been humiliated in the attempt besides. John Williams' initial reasoning (he has since abandoned it) that they were tired of hasseling with him is also unsound. They have never grown tired of hasseling with anyone else.

The argument that Popeye would have been too much of a problem at San Quentin or Folsom is absurd. Nobody's much of a problem in the adjustment center and - if they try to be - they can be put in a strip cell or - for that matter - shot dead. Would Popeye have been a greater problem than brother George with whom Popeye falsely claimed a blood relationship? Would Popeye's nemesis in the SS - Bill Fredericks - have passed up an opportunity to get "one of the worst"?

And so - the court concluded - Popeye had been caught in the cruelest squeeze of all: San Quentin on one side and the SS on the other. A parole officer suggests that the conversation between Popeye and the SS would have gone something like this: If you don't want to be returned to San Quentin with your time refixed for a crime where you were caught cold and for which you can expect little sympathy from the movement, you'd better start playing ball, fast. Based on what we knew about the SS, this scenario seemed quite reasonable and it was concluded that it probably happened just about that way. What could Popeye do? *What would you have done?*

Since no one involved in the investigation had had any direct experience with the SS, we tried to see what we could uncover about them. Their leader turns out to be nothing less than an assistant director. All the parole officers interviewed thought that the SS units reported to the regional parole offices and had no idea that they were an integrated operation

telligence

The head of
one *Emmitt*

not on any of the directories in the huge State Office Building #1 in

*THE SS AND THE PEOPLES' COURT
INVESTIGATE EACH OTHER*

with a central in-
base in Sacramento.
SS turned out to be
Hurst. His name is

Sacramento. His office is in the transportation section - not even on the same floor with the rest of corrections - and he refused to talk with the investigator who tracked him down and tried to get past his secretary with the New Times Press Card. The investigator was told that Hurst had another appointment and didn't have time to talk. The investigator observed his office from the corridor and the other appointment never showed up. Hurst exited for a couple long walks around the building and when he returned from the second walk, he was confronted in the corridor and asked for a copy of the SS manual. Up to this point, no one was willing to admit that such a manual existed but the investigator was persistent since we not only knew that it existed, we knew who had written it and when. Hurst - a thick, muscular man with practically no neck - admitted under questioning that it existed but said that it was secret which was no surprise.

He then tried to interrogate the investigator and was later able to discover his identity from Guthrie. He also found out that the investigator was an ex-con and ordered him investigated by the secret police. A spy in the department will swear that this investigation took place; an illegal investigation since the court's investigator was not on parole and the SS has police jurisdiction only over parolees. All information on the SS that was developed by the court is being turned over to another group of ex-cons who were already investigating the SS before Popeye was killed. Their analysis of these secret police is eagerly anticipated.

They now had "the main man" and we can only guess how they celebrated, what was said at the strategy conference, or who attended. It is quite possible that Fredericks and the local SS unit were operating entirely on their own initiative. They certainly did not need to have such opportunities

The specific
Popeye in order

POPEYE IS COMPROMISED

pointed out to them.

information forced from
to compromise him might
have been the location and time of 2 secret meetings of underground convicts associated with the Tribal Thumb that were raided by the police shortly after Popeye began serving his 60 days. The word on the street is that they suspect him but it could not be confirmed by the court. Brother Earl - a Tribal Thumb leader - was arrested as a suspect in Popeye's murder but was quickly released for lack of evidence. We have information that the SS hassled Earl earlier in the year and this arrest may have been only harrasment. It seems reasonable to conclude that this was the information forced from Popeye but it could have been something else and we hope that time and further investigation of the SS will eventually answer this question.

It seems reasonable to conclude that Popeye - given the kind of person he was - would have given the SS as little information as he could have gotten away with. He may have tried to deceive them and give them nothing of value at all but they were certainly smarter than that. They probably kept the pressure on until he came up with something satisfactory. Even the SS were probably not sure exactly how Popeye would be used in the future. Once compromised, he would have had to do their bidding or they would have exposed him as a snitch. Had he lived, the decision on how to use him would likely have been made at the top level of police intelligence strategists. There must have been a lot of long faces in those circles and at SS headquarters when he was killed; *great opportunities forever lost.*

The peoples' court concluded that it was very unlikely that Popeye was killed by police or even one rogue cop acting on his own. The information that he was informing seems to have been generally known, even in low level police circles. Even if the police found it expedient to eliminate a key informer, it seems unlikely that they would have killed Sally Voye. It was so unnecessary, and not their way of doing things at all. They have too many tested ways of murdering people that do not involve the risks inherent in the method used on Popeye.

The court concluded that no revolutionaries - with the possible exception of comrades in the Tribal Thumb - seemed to have any hard proof that Popeye was snitching. If underground comrades had done the action, it seems that they would have explained it to the people. There are few people who

about taking
apparently

RUTHLESS BEYOND IMAGINATION

would care so little
the life of the
innocent sister

Sally. Someone who had done time seems the most likely possibility since many of Popeye's enemies had been crazed by that experience. There are plenty of brothers in San Quentin and Folsom who are capable of committing the murders in that way. Ruthless beyond imagination, they might kill 20 innocent people to get to one enemy. The court concluded that - while it was possible that Popeye had been killed by revolutionaries who knew he was snitching - it was most likely that he had been killed by an old enemy. The streets and prisons are filled with Popeye's old enemies and it is unlikely that the identity of the murderer will ever be known for certain.

There are many lessons to be learned from Popeye's life and one of the most important is that a brother or sister who has done a lot of time is not - necessarily - a higher political or revolutionary consciousness. The experience is warping and dementing; you emerge from it no longer sane. These sisters and brothers should not be looked-to for

leadership - even if they seek such a role - until they have first been made whole by the love and understanding of their comrades. Anyone who thinks otherwise, invites tragedy.

Popeye had no principled theory and yet we allowed him to dictate tactics, tactics that were based only on anger. If his final speeches sounded like the words of a *provocateur*, perhaps it was only that we were listening more closely. As Sheevy said: Popeye only had one speech. He had been saying the same things since the day he was released from San Quentin in 1970. There was simply no way for the SS to have used Popeye as a *provocateur* for he had been one all along; not for *the man*, but in the service of his own anger. He was already the best of all *provocateurs* for he believed every word he said. As Jason said: I didn't want to break up what he was doing. Sadly, many sisters and brothers were provoked; looking into the face of the monster that confronts us, they determined to tear it apart with a frontal assault.

Popeye trashed our comrades in the NWLF for being sissies when they blew up the building at San Quentin and demanded that they go even farther. The comrades of the peoples' court feel that even that was going too far. The benefits - in terms of a morale boost for the cons - are outweighed by the reaction. The explosion was probably used to justify ten new guard positions in the new budget. When they get bored with watching for the peoples' forces, they will shake-down cells, hassle people on the rest, and all do for amusement. *TO CAPTURE A PIG IS MADNESS* The other things they yard, agitate un- ment or out of dedication. To capture one we might call a pig in order to force the release of captured comrades is madness. They do not love each other the way we do and would give less than a shit if Rockefeller and 5 small children were fed down a garbage disposal a piece at a time. When the bluff was called and the pig was killed, imagine the reaction that would follow. The police - whose powers we are slowly diminishing - would become immensely more powerful and *that is their strategy*.

Many people are oppressed by lust for power, greed, selfishness, and other vitiations of consciousness and they - in turn - oppress others. *The ruling class* we call them and to set out to punish all the oppressors is a very large task indeed for few are wholly innocent. If we recklessly adopt the tactics of the unprincipled enemy, we may become the thing we profess to hate.

We are surrounded by informers and turncoats which raises the question of how we can tell a real revolutionary from a phony; a Popeye Jackson

or an Alexander Jason. We feel we must start with a clear and acceptable definition and this seems easy: *A revolutionary is a sister or brother whose actions are in the interests of the people.* Anyone who puts their own interests before those of the people could not be considered very revolutionary. *A revolutionary is selfless - a pig is selfish.* It takes little more than a casual glance to tell the difference. If a comrade is always ready to help a brother or sister - or all the people - with risk or cost given little thought, that comrade is a revolutionary. It can be seen in the smallest things for it is a mistake to think that large actions are more important than small ones. You cannot judge the worth of an action by the magnitude of its consequences; it is the motive that is important. A smile or a small kindness stands on the same level as offering one's life for the cause if it springs from revolutionary consciousness. Large changes are but the cumulative result of many small actions and large actions cannot be done correctly if the small actions are unrevolutionary. Revolutionary consciousness discovers its field of expression in *every* incident and situation which might be passed over by an unenlightened comrade as too insignificant to deserve attention. Large actions - undertaken by comrades who are in the most favorable position to do them - should never be sought for their own sake.

The only conclusion rejected by the peoples' court was: Popeye made many errors, but the ultimate guilt belongs to a system of oppression responsible for the ghettos and prisons that shaped him. He spent the greatest part of his life under their influence and his consciousness was warped and corrupted. Revolutionary practice was his salvation, and was slowly unleashing higher levels of awareness. To have suffered so much - and still been capable of growth - is to be one of the true heroes of the revolution. There is no greater heroism.

Our only disagreement was over the last sentence. The majority would have accepted a lesser word than *hero*, a minority would accept nothing less. The majority position was that we have all suffered and we all grow. If that great heroism. *WHO WILL OUR HEROES BE?* was heroic, it was not there was no action more difficult or frightening than attempting to change yourself. Causing explosions is child's play by comparison; it requires only courage, commitment, and a sense of adventure. Popeye had changed from a heroin dealing pimp who left a trail of suffering in his wake to a brother others could and did love; who loved his comrades and played with the children on the street. How many brothers and sisters - given Popeye's past - would claim that they could have done this? Unable to agree, the peoples' court submits this question to the people: *who will our heroes be?*

Popeye was the perfect founder of the United Prisoners' Union for he was such a perfect example of all the strengths and flaws of the convicted class. His life may be harshly judged by comrades who have not shared his experiences but should be lovingly remembered by all of us who have walked the big yard. We are all Popeye.

- PEOPLES' COURT # 1 -

<i>James</i>	<i>ex-convict</i>
<i>Steve</i>	
<i>Gerald</i>	<i>ex-convict</i>
<i>Cynthia</i>	
<i>Jacques</i>	<i>ex-convict</i>
<i>Judith</i>	
<i>Steve-o</i>	<i>ex-convict</i>
<i>Eva</i>	<i>ex-convict</i>
<i>Michael</i>	<i>ex-convict</i>

Individually and collectively, we assume the responsibility for designating ourselves a peoples' court and we submit our conclusions to the people for judgment. We pray that we have correctly and truthfully discharged the responsibility we assumed in evaluating the evidence that was before us and that our conclusions are without prejudice.

- CONCLUSIONS -

1. The practice of issuing open letters of denunciation to a brother or sister of the revolution is divisive, dangerous, and lazy.
2. Popeye grew into his role by loving contact with brothers and sisters of a higher revolutionary awareness. (*One dissent*)
3. Popeye made many errors but the ultimate guilt belongs to a system of oppression responsible for the black ghetto and the Department of Corrections. He spent the greatest part of his life under their influence and his consciousness was corrupted and warped. Revolutionary practice was his salvation and was slowly unleashing higher levels of awareness. To have suffered so much and still been capable of growth is to be one of the true heroes of the revolution. There is no greater heroism. (*Rejected*)
4. Popeye made many mistakes and they should be freely admitted. Not only do they show the lengthy journey he had to make to higher consciousness but also they are all lessons that all brothers and sisters should learn, lest they fall into the same errors of thought and action.
 - a. He threatened sisters and brothers with a pistol and hit one of them with it.
 - b. He enticed brothers and sisters into activities that got them busted in order to make money for himself.
 - c. He helped to precipitate the suicide of a brother in Folsom by trying to terrorize him.
 - d. He said things to the Department of Corrections that could have been harmful to his fall-partner in a 1972 bust.
 - e. He recruited prostitutes by intimidation and took money from them.
 - f. He sold heroin on the streets and from the United Prisoners' Union offices. He lied to his sisters and brothers and used the energy of the revolution to beat a heroin bust in 1973 when he was actually guilty.
 - g. He stole the money of the people.

- CONCLUSIONS -

- h. He spread divisive information about sisters and brothers in the movement that he did not like.
- i. He trashed brothers and sisters of the revolution with unwarranted criticism.
- j. He gave speeches that indiscriminately urged sisters and brothers to violence.

5. Cecil Williams is another spokesperson for the revolution who has made serious errors.

- a. He told lies in an attempt to mislead people about his relationship with Popeye.
- b. He reveals his racist attitudes by calling many who disagree with him racists, and he promotes disunity by these tactics.
- c. He openly displays his sexist attitudes in bars and at parties.
- d. He openly lusts for power and defines a revolutionary as someone who has power in the form of a following.
- e. He does not maintain a revolutionary life-style.

6. Popeye had come a long way, but still had a long way to go: he made a deal to keep from having his parole revoked and his time re-fixed after being busted for petty theft in 1974.

7. At the time of his death, he had been compromised by the Special Services Agents of the Department of Corrections and could have been forced to do their bidding at any future point. He was not a full-time informer, and would probably have given them as little information as he could have gotten away with.

8. It is very unlikely that he was murdered by the police since they would have no motive. If the police *had* wanted him dead, they could have returned him to the safer environment of San Quentin and murdered him at their pleasure.

9. It is possible that he was killed by revolutionaries who knew that he had been compromised.

- CONCLUSIONS -

10. It is most likely that he was killed by someone with a grudge. He had many enemies who were capable of the act and there were numerous attempts on his life.
11. Sally Voye was a dangerous eyewitness, or got in the way, or both.
12. Peoples' justice is a weighty matter for which there are few precedents. All errors must be made on the side of fairness; each effort in this direction must be as fair or fairer than those which precede it.
13. Peoples' courts are answerable to the people and complete transcripts of every word that was said must be made available to all sisters and brothers who want to decide for themselves.
14. Any group of sisters and brothers who come together and call themselves a peoples' court must individually accept the responsibility. Every person involved must consider themselves also on trial and answerable to the criticism of the people.
15. Sisters and brothers criticizing each other is second in importance only to brothers and sisters criticizing themselves. If we do not learn from each other's errors, our revolution will take a very long time.
16. The only sentence a peoples' court may give, is that the people shall know the truth.

COMRADES OF THE PEOPLES' COURT

Peoples' Court #1 was in existence for 6 hours on 30 July 1975. Its mandate that all the information be made available to all the people is being discharged by an informal group of sisters and brothers known collectively as Peoples' Court Comrades. 8 members of the court and dozens of other comrades are participating in this effort.

In addition to discharging the mandate of the peoples' court, this group has temporarily assumed the responsibility for distribution of communiques and other material that is not available from any other source. If any underground comrades wish to use us for this purpose, we ask that they assume all responsibility for the security of their communications.

*As for criticism...
Do it in good time*

*Don't get in the habit of criticizing
Only after the event*

Chairman Mao
31 July 1955

The evidence considered by the peoples' court was shared with the United Prisoners' Union as soon as it was developed. This analysis was done in 3 drafts and the 1st was photocopied and given to the UPU as soon as the last page was typed, around 5 August. The 2nd draft was finished on 14 August and a copy was given to the UPU the following day. On 17 August, a copy was mailed to the Bay Area Research Collective at their request.

On 26 July, the UPU was invited to send representatives to sit on the peoples' court and agreement was reached with one comrade from their collective leadership. The date and time for the court's deliberations were arranged with that comrade. It was the only day and time he had free. July 30th - 6:00 P.M. Seats were offered to 2 other comrades of the UPU collective leadership and a 4th seat was offered, for the UPU to fill with anyone they chose. 4 seats out of 9; an out-front appeal to the UPU to stack the court since other *pro Popeye* comrades had already agreed to assume the responsibility for reviewing the evidence and reaching conclusions. On 30 July - the day the court deliberated - the UPU backed out and the positions offered to them were filled with alternates. All matters of procedure were to be decided by the court before proceeding to the evidence and the only condition imposed in advance - by the comrades who had conducted the investigation - was that the proceedings had to be taped, with transcripts available to anyone who wanted to decide for themselves.

On 1 September, the Bay Area Research Collective offered a stinging criticism to the NWLF - in response to their 25 August communique - which ignored all of the evidence and conclusions of the court. At that time, they had been in possession of draft #2 of the court's analysis for 2 weeks. On 18 September, they were asked to respond to questions about the propriety of what they had done and were asked to reply immediately since the final draft of this analysis would be published soon and we wanted to include their reply. They did not reply. Since it appears that their analysis was intentionally deceptive, we again call upon them

to explain their actions to the people.

The UPU responded to our comrades' 25 August communique by trashing them with very strong words. *Unprincipled* is the 2nd strongest word a comrade can use in describing another comrade; the only stronger word is *pig*. We can find nothing in the actions of our comrades in the NWLF that could deserve such a charge, even if the UPU analysis was factual and correct *and it was neither*.

Part of the UPU attack read: It is unprincipled to continue destructive accusations when none of the evidence which the NWLF called for was produced by other organizations...Since 9 revolutionaries who had assumed the responsibility for designating themselves a peoples' court had presented the UPU with 42 pages of evidence gathered over a 2 month period of intensive investigation, and the UPU had been in possession of this evidence for some time, we have to conclude that the UPU statement that no new evidence had been produced was a deliberate attempt to deceive the people.

They also made mis-statements of fact that they - *particularly they* - must have realized were not true. For example: The accusations put forth are unfounded because: When a criminal charge is phony or petty it is not uncommon for a political person to be cut loose. We wish they would have provided *one example* to substantiate this statement. Besides Popeye.

We criticize ourselves - and have been criticized by others - for having "played favorites" in our dealings with the UPU. Many things were overlooked that would certainly not have been if they had been done by others. We were very concerned about concepts of fairness and had respect for the practice of our comrades in the UPU, as well as personal affection. We tried to reason with them in endless hours of analysis and discussion and held out hope that our analysis could be published with their agreement and without causing any disunity. We failed, and solicit criticism from all comrades who can - more clearly than we - see our errors.

After the UPU denunciation of the NWLF and their failure to respond to our evidence and conclusions, we asked for a formal reply that would be printed as part of the analysis. At this point we came to realize that our analysis had only been seen by a few comrades in the UPU. A brother from the UPU ran into a copy of draft #2 that was in circulation in movement circles in Oakland and was outraged that he had never heard of it before. A few days before publication, the UPU collectively responded to our request for a response with an angry, trashing letter.

UNITED PRISONERS UNION

1899 OAK ST. S.F. CA 94117 863-1410/1411

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September 26, 1975

Jacques Rogiers
423 Oak St.
S.F., CA 94102

The United Prisoners Union is outraged at the planned distribution of an article written by Jacques Rogiers and claiming to investigate the practice of our comrade, Popeye Jackson. It is couched in the form of proceedings of a "people's court", organized by Rogiers and of bullshit authority. The article repeats the errors of our comrades in the NWLF, who have been criticized in past weeks and from whom we await a response. But this article is inexcusable in light of the struggles and lessons since Popeye's murder. Our rage stems from:

- 1) Rogiers' dubious motivation (it was first intended as a piece to sell to the media);
- 2) Rogiers' (or his court's) overtly liberal political analysis (the Freudian analysis of Popeye and all convicts which concludes that convicts and, implicitly, third world people, possess a consciousness qualitatively inferior to the rest of the working class);
- 3) Rogiers' blatant betrayal of the principles of criticism/ self-criticism (the when-did-you-stop-beating-your-wife snitch-jacketing analysis based on inference and premise and not concrete conditions.)

We neither recognize the legitimacy of the court nor Rogiers' commitment to criticism. Because the potential for damage in such practice is so enormous, so obvious, and so senseless, we find it hard to treat this as a contradiction among the people. The material is incomprehensible to our concepts of struggle, totally unprincipled and sickening to our gut levels of comradeship.

UPU Staff

- JACQUES RESPONDS -

I was very disappointed that my comrades in the UPU chose to address their response to the analysis of the peoples' court to me as an individual. I was hurt by the *ad hominem* attack and I can't understand why the UPU went into a rage in their response, after a month of calm discussions and reasoning about the analysis. I do not wish to fight with my sisters and brothers, only to help them see the truth. I am ashamed - for them - of their 26 September letter and wish I did not have to respond.

It is certainly true that I have been the main architect of this analysis and that I did most of the writing. The difference between writing for the court and writing for myself (as in this letter) is a subtle one, but very real to me. To speak for other people is a large responsibility and dozens of hours of discussion with other comrades of the court - and not of the court - are the foundation upon which my words rest.

You say that the peoples' court is of "bullshit authority" and I would say that we never claimed any kind of authority at all. We *assumed* the responsibility of reviewing the evidence and drawing conclusions that would be offered to the people for consideration and judgment.

You have charged that this analysis was "first intended as a piece to sell to the media" and yet you *knew* this charge was false. My relationship with the *New Times* was discussed with you at length and you were told - both verbally and in writing - that any money they might be willing to pay if they printed the analysis would go directly to a charity. Since you knew that your letter would be included in the court's analysis, I am forced to conclude that you made this false charge in an attempt to deceive the people. To claim to be in a rage over charges you *knew* were false is - I can think of no other word - *unprincipled*.

Our analysis of convict consciousness - based on decades of walking the yard - seems to have been Popeye's analysis as well (pages 24-25) and our comrades in the UPU are the first cons to dispute it. To say that it implies anything whatsoever about sisters and brothers of the third world seems to be another attempt to mislead and confuse. If you are serious about this charge, I would like to know your reasoning.

I call upon my comrades in the UPU to analyze their actions and statements, and to present their analysis and reasoning to the people for judgment.

THANKS TO SOME OF THE COMRADES OF THE PEOPLES' COURT

Al	Printer
Baba	Avatar
Barbara	Editor
Bill	Editor
Bob	Analyst
Carrie	Editor Equipment
Cranny	Editor Money
Cynthia	Court
David	Editor
David	Critic Editor
Edna	Editor
Eva	Court
Gerald	Analyst Court Critic Money
Jacques	Analyst Court Investigator Writer
Janice	Editor
Jebb	Analyst
J.D.	Analyst Court Critic Investigator
Joe	Investigator (Folsom)
John (Doe)	Analyst Critic Investigator Proofreader Spy
Josi	Editor
Judith	Analyst Court Critic
Karl	Cover Critic Editor
Kathy	Analyst Critic Editor Political Advisor
Larry	Editor Equipment
Linda	Editor Proofreader
Margaret	Critic Editor
Michael	Editor
Mick	Analyst Court Investigator Writer
Pat	Analyst
Paul	Analyst Critic Editor
Ron	Analyst
Steve	Analyst Court Editor Proofreader
Steve-o	Analyst Court Investigator Researcher
Tim	Critic
Wyn	Equipment

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Special apologies to every person and organization who was omitted from this list inadvertently or for lack of space.

ABOVEGROUND/UNDERGROUND

Unity -
a long process
for children
raised on the lies
and fed on the
power-crazed madness
of a dying Amerika

We have stood up angry
and raised our voices and our love
our fists and our guns
to reclaim our lives
and our dignity

The enemy schemes to divide us
defuse our strength
spinning circles of mistrust
webs of fear

We must learn to recognize each other
in darkness
through the touch of a hand
in the rubble of a bomb blast
in the kitchens and factories
the welfare lines and fields
in the prisons
on the streets
in the flicker of an eye
through support
and criticism
and many hours
of trying to understand
and survive

Sisters and brothers
the gathering of a storm

Unsigned Poem
Reprinted from issue # 1
of *The Dragon*